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Attorneys for Plaintiff Erlinda T. Elemen

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

ERLINDA T. ELEMEN, an individual

Plaintiff,

vs.

SHARON STONE, an individual and DOES 1  
through 25, inclusive,

Defendants.

Case No.

COMPLAINT FOR DAMAGES

1. Harassment  
[Government Code §12940 (j)];
2. Failure to Prevent Harassment  
[Government Code §§ 12940 (k)];
3. Retaliation  
[Labor Code § 1102.5(c)]; and
4. Wrongful Termination

DEMAND FOR JURY TRIAL

COMES NOW PLAINTIFF ERLINDA T. ELEMEN, WHO ALLEGES AS FOLLOWS:

GENERAL ALLEGATIONS

1. At all relevant times herein mentioned Plaintiff, ERLINDA T. ELEMEN (“Elemen” or “Plaintiff”), an individual, was, and remains, a resident of the County of Los Angeles, State of California, and the acts complained of herein by her took place in the County of Los Angeles, State of California. At all relevant times herein mentioned, Plaintiff was employed as a Nanny by Defendant SHARON STONE and DOES 1-25, inclusive. Plaintiff ELEMEN is of Filipino descent.
2. Plaintiff is informed, believes, and thereon alleges that Defendant SHARON

1 STONE, (hereinafter referred to as "Stone"), an individual, was, and remains a resident of the  
2 County of Los Angeles, State of California.

3 3. The true names and capacities, whether individual, corporate, associate or otherwise,  
4 of Defendants named herein as DOES 1-25 are unknown to Plaintiff, who therefore sues said DOE  
5 Defendants by said fictitious names. Plaintiff is informed, believes, and thereon alleges that each of  
6 said DOE Defendants are negligently or otherwise responsible in some manner for the events and  
7 happenings herein referred to, and negligently or otherwise caused injuries and damages  
8 proximately thereby to Plaintiff. Plaintiff will pray for leave to amend this Complaint to substitute  
9 the specific names of said DOES 1-25 and to specify their negligent acts as they become known by  
10 her.

11 4. Plaintiff is informed, believes and thereon alleges that at all relevant times  
12 mentioned herein, all Defendants, and each of them, were the officers, directors, brokers, agents,  
13 contractors, advisors, servants, partners, joint venturers, employees, and/or co-conspirators of their  
14 Co-Defendants and were acting within the scope of their authority as such agents, contractors,  
15 advisors, servants, partners, joint venturers, and employees with the permission and consent of their  
16 Co-Defendants. Each Defendant, as aforesaid, was acting as a principal, and was involved in the  
17 selection, consultation, training and/or hiring of each and every other participant in the relevant  
18 events herein.

19 ALLEGATIONS COMMON TO ALL CAUSES OF ACTION

20 5. On or about October 2006, Plaintiff began working for Defendant Stone, DOES  
21 1-25, and each of them as an assistant nanny whose job duties included but were not limited to  
22 caring for one of Defendant's children. Plaintiff held this position until September 2008 when she  
23 was promoted to head nanny. At that time, her job duties included, but were not limited to, the  
24 caring for all three of Defendant's children, and traveling with the children for extended periods.  
25 With this promotion, Plaintiff also was assigned to live in Defendant's residence, where she  
26 remained until she was terminated on or about February 8, 2011. At all times herein mentioned,  
27 Plaintiff worked in an professional manner, always performing her job duties in a competent and  
28 caring way.

1           6.       From on or about August 2010 throughout the duration of her employment, Plaintiff  
2 was repeatedly subjected to numerous derogatory comments and slurs by Defendant Stone related to  
3 her Filipino ethnicity and heritage. These statements included, without limitation, comments about  
4 Plaintiff's Filipino accent (i.e. Plaintiff was instructed to refrain from speaking to the children  
5 because Defendant did not want them to "talk like you"), comments about Filipino food, and  
6 comments which equated being Filipino with being stupid. During that same period of time,  
7 Defendant Stone was repeatedly verbally dismissive of Plaintiff's deeply held religious beliefs,  
8 criticized Plaintiff for frequently attending church and, on one occasion, forbade Plaintiff from  
9 reading the bible in Plaintiff's room in Defendant's residence.

10           7.       On or about January 18, 2011, Defendant Stone admitted to Plaintiff that she learned  
11 that Plaintiff was paid overtime when traveling with the children, and was also paid overtime on  
12 other occasions such as holidays throughout her tenure as the head nanny. Plaintiff is informed and  
13 believes that the overtime was paid in accordance with California law by Defendant Stone's  
14 accounting and/or payroll employees or agents. Defendant Stone, however, accused Plaintiff of  
15 "stealing" from her by taking the above-described overtime pay, told Plaintiff that it was "illegal"  
16 for Plaintiff to have taken the pay, and asked for the money back.

17           8.       Plaintiff complained to Defendant Stone that it was unfair for Defendant to reduce  
18 her hours and pay, and ask for her money back, simply because she received overtime in compliance  
19 with state and federal law. In response, Plaintiff's hours and pay were immediately reduced by  
20 Defendant, who assigned the assistant nanny the additional time. Defendant Stone then began to  
21 repeatedly berate Plaintiff in front of her staff, guests and others, for a period of approximately 3  
22 weeks, for no other reason than Plaintiff had received overtime pay as hereinabove alleged. Shortly  
23 thereafter, on or about February 8, 2011, Plaintiff was terminated by Defendant Stone with no stated  
24 reason given.

25           9.       On or about February 16, 2011, Plaintiff filed a complaint with the California  
26 Department of Fair Employment and Housing ("DFEH"), No. E-2010-11-T-0451-00c, alleging,  
27 among other things, harassment, failure to prevent harassment and retaliation. On or about May 23,  
28 2011, Plaintiff received a Notice of Case Closure/Right to Sue letter from the DFEH. Therefore,

1 Plaintiff exhausted her administrative remedies prior to filing the instant Complaint pursuant to  
2 California Government Code Section 12965. True and correct copies of Plaintiff's DFEH  
3 Complaint and Right To Sue letters are attached, collectively marked as EXHIBIT A, and  
4 incorporated herein by this reference as though fully set forth at length.

5  
6 **FIRST CAUSE OF ACTION FOR HARASSMENT**  
***(Against Stone and DOES 1-25, Inclusive)***

7 10. Plaintiff incorporates by reference the general allegations contained in Paragraphs 1  
8 through 9 inclusive, as though fully set forth at length.

9 11. Government Code Section 12940 (j) embodies fundamental, substantial, and well-  
10 established public policies of the State of California. Defendants Stone, DOES 1-25, and each of  
11 them violated the fundamental, substantial, and well-established public policies embodied in  
12 Government Code section 12940 (j), by making harassing statements to Plaintiff because of her  
13 ethnicity/race, and religion as more fully described above. These statements included, without  
14 limitation, comments about Plaintiff's Filipino accent (i.e. Plaintiff was instructed refrain from  
15 speaking to the children because Defendant did not want them to "talk like you"), comments about  
16 Filipino food, and comments which equated being Filipino with being stupid. During that same  
17 period of time, Defendant Stone was repeatedly verbally dismissive of Plaintiff's deeply held  
18 religious beliefs, criticized Plaintiff for frequently attending church and, on one occasion, forbade  
19 Plaintiff from reading the bible in Plaintiff's room in Defendant's residence.

20 12. As a direct and proximate result the afore-mentioned conduct, Plaintiff has been  
21 damaged thereby in a sum according to proof with interest thereon at the legal rate allowed, in an  
22 amount in excess of the jurisdictional minimum of this Court.

23 13. As a further direct and proximate result of Defendants violation of Government Code  
24 section 12940(j) and the facts herein alleged, Plaintiff has suffered and will continue to suffer severe  
25 physical and mental anguish and emotional distress; she has incurred, and will continue to incur  
26 medical expenses for treatment by health professionals, and other incidental expenses. Plaintiff is  
27 thereby entitled to general and compensatory damages in amounts to be proven at trial.

28 14. As a further direct and proximate result of Defendants violations of Government

Code section 12940 (j), as more fully set forth hereinabove, Plaintiff has been compelled to retain the services of counsel in an effort to protect her rights and enforce the terms and conditions of the employment relationship with Stone and DOES 1-25, and has thereby incurred, and will continue to incur, legal fees and costs. Plaintiff requests that attorney fees and expert witness fees be awarded pursuant to Government Code section 12965.

15. Plaintiff is informed, believes, and thereon alleges that the conduct of Defendant Stone, as more fully set forth hereinabove, was done with fraud, oppression and/or malice, or with a conscious disregard for Plaintiff's rights, and with the intent, design, and purpose of injuring her. By reason thereof, Plaintiff is entitled to punitive or exemplary damages in a sum according to proof at the time of trial.

**SECOND CAUSE OF ACTION FOR FAILURE TO  
TAKE REASONABLE STEPS TO PREVENT HARASSMENT**  
*(Against Stone and DOES 1-25, Inclusive)*

16. Plaintiff incorporates by reference the general and common allegations contained in Paragraphs 1 through 15 inclusive, as though fully set forth at length.

17. Government Code Section 12940 (k) embodies fundamental, substantial, and well-established public policies of the State of California. Defendants Stone, DOES 1-25, and each of them violated the fundamental, substantial, and well-established public policies embodied in Government Code section 12940 (k), by failing to take "all reasonable steps necessary to prevent discrimination and harassment from occurring" as required. Plaintiff is informed and believes that Defendants took no steps to prevent harassment from occurring during her tenure of employment.

18. As a direct and proximate result the afore-mentioned failure to take all reasonable steps necessary to prevent harassment, Plaintiff has been damaged thereby in a sum according to proof with interest thereon at the legal rate allowed, in an amount in excess of the jurisdictional minimum of this Court.

19. As a further direct and proximate result of Defendants violation of Government Code section 12940(k) and the facts herein alleged, Plaintiff has suffered and will continue to suffer severe physical and mental anguish and emotional distress; she has incurred, and will continue to incur medical expenses for treatment by health professionals, and other incidental expenses. Plaintiff is

1 thereby entitled to general and compensatory damages in amounts to be proven at trial.

2 20. As a further direct and proximate result of Defendants violations of Government  
3 Code section 12940 (j), as more fully set forth hereinabove, Plaintiff has been compelled to retain  
4 the services of counsel in an effort to vindicate her rights and enforce the terms and conditions of  
5 the employment relationship with Stone and DOES 1-25, and has thereby incurred, and will  
6 continue to incur, legal fees and costs. Plaintiff requests that attorney fees and expert witness fees  
7 be awarded pursuant to Government Code section 12965.

8  
9 **THIRD CAUSE OF ACTION FOR RETALIATION**  
***(Against Stone and DOES 1-25, Inclusive)***

10 21. Plaintiff incorporates by reference the general allegations contained in Paragraphs 1  
11 through 20 inclusive, as though fully set forth at length.

12 22. Labor Code section 1102.5(c) embodies fundamental, substantial, and well-  
13 established public policies of the State of California. Defendants Stone, DOES 1-25, and each of  
14 them violated the fundamental, substantial, and well-established public policies embodied in Labor  
15 Code section 1102.5, by retaliating against Plaintiff because she received overtime pay in  
16 compliance with state and federal law.

17 23. Specifically, as more fully alleged above, Defendant Stone and DOES 1 through 25,  
18 and each of them, asked Plaintiff to return monies lawfully earned under state and federal law.  
19 When Plaintiff complained of this treatment, Defendants cut her hours and her pay, and terminated  
20 Plaintiff approximately three weeks later. Plaintiff is informed and believes and based thereon  
21 alleged that this conduct was in violation of Labor Code section 1102.5(c).

22 24. As a direct and proximate result of Defendants' violations of Labor Code section  
23 1102.5 as hereinabove alleged, Plaintiff has been damaged thereby in a sum according to proof with  
24 interest thereon at the legal rate allowed, in an amount in excess of the jurisdictional minimum of  
25 this Court.

26 25. As a further direct and proximate result of Defendants' violations of Labor Code  
27 section 1102.5 and the facts herein alleged, Plaintiff has suffered and will continue to suffer severe  
28 physical and mental anguish and emotional distress; she has incurred, and will continue to incur

1 medical expenses for treatment by health professionals, and for other incidental expenses; and she  
2 has suffered and will continue to suffer a loss of earnings and other employment benefits and job  
3 opportunities. Plaintiff is thereby entitled to general and compensatory damages in amounts to be  
4 proven at trial.

5 26. Plaintiff is informed, believes, and thereon alleges that the conduct of Defendants,  
6 and each of them, as more fully set forth hereinabove, was done with fraud, oppression and/or  
7 malice, or with a conscious disregard for Plaintiff's rights, and with the intent, design, and purpose  
8 of injuring her. By reason thereof, Plaintiff is entitled to punitive or exemplary damages in a sum  
9 according to proof at the time of trial.

10 27. Plaintiff is informed and believes and based thereon alleges that Defendant DOES 1-  
11 25, and each of them, are corporations and/or limited liability companies which are liable for a civil  
12 penalty not exceeding ten thousand dollars for each violation of section 1102.5.

13 **FOURTH CAUSE OF ACTION FOR WRONGFUL TERMINATION**  
14 ***(Against Stone and DOES 1-25, Inclusive)***

15 28. Plaintiff incorporates by reference the general allegations contained in Paragraphs 1  
16 through 27, inclusive as though fully set forth at length.

17 29. It is the explicit public policy of the State of California that employees should feel  
18 free to engage in lawful activity without fear of termination, as embodied in Labor Code sections  
19 1102.5 and 98.6 Further, it is the public policy of the State of California to protect an employee  
20 who complains in good faith about working conditions, practices, or legal violations as embodied in  
21 the statutes described hereinabove.

22 30. As more fully described hereinabove, Defendant Stone, DOES 1-25, and each of  
23 them, retaliated against Plaintiff for her refusal to return monies Plaintiff lawfully earned, and for  
24 complaining of the improper conduct to her employer, all of which is in violation of the express  
25 public policies of the State of California.

26 31. As a direct and proximate result of Defendants violations of public policy as  
27 hereinabove alleged, Plaintiff has been damaged thereby in a sum according to proof with interest  
28 thereon at the legal rate allowed, in an amount in excess of the jurisdictional minimum of this

1 Court.

2 32. As a further direct and proximate result of Defendants willful, knowing and  
3 intentional violations of public policy, Plaintiff has suffered and will continue to suffer severe  
4 physical and mental anguish and emotional distress; she has incurred, and will continue to incur  
5 medical expenses for treatment by health professionals, and for other incidental expenses; and she  
6 has suffered and will continue to suffer a loss of earnings and other employment benefits and job  
7 opportunities. Plaintiff is thereby entitled to general and compensatory damages in amounts to be  
8 proven at trial.

9 33. Plaintiff is informed, believes, and thereon alleges that the conduct of Defendants,  
10 and each of them, as more fully set forth hereinabove, was done with fraud, oppression and/or  
11 malice, or with a conscious disregard for Plaintiff's rights, and with the intent, design, and purpose  
12 of injuring her. By reason thereof, Plaintiff is entitled to punitive or exemplary damages in a sum  
13 according to proof at the time of trial.

14 WHEREFORE, Plaintiff prays that judgment be entered in her favor and against Defendants,  
15 and each of them, as follows:

16 1. For general and special damages according to proof at trial, with interest thereon at  
17 the legal rate from the date of the damages;

18 2. For incidental and coincidental damages according to proof at trial;

19 3. For punitive and exemplary damages according to proof at trial;

20 4. For costs of suit and interest incurred, including reasonable attorney and expert  
21 witness fees;

22 5. For civil penalty not exceeding ten thousand dollars for each violation of section  
23 1102.5; and

24 6. For such other and further relief as the Court may deem just and proper.

25 Dated: May 22, 2012

**LAW OFFICES OF RHEUBAN & GRESEN**

26  
27 By  \_\_\_\_\_  
28 SOLOMON E. GRESEN  
Attorneys For Plaintiff ERLINDA ELEMEN



1  
2 **DEMAND FOR JURY TRIAL**

3 Plaintiff hereby demands her constitutional right to a trial by jury.

4 Dated: May 22, 2012

**LAW OFFICES OF RHEUBAN & GRESEN**

5  
6 By   
7 SOLOMON E. GRESEN  
8 Attorneys For Plaintiff ERLINDA ELEMEN

9 **DEMAND FOR ARBITRATION**

10 In the event that there is an enforceable arbitration agreement between the parties to this  
11 action, Plaintiff hereby demands arbitration under said agreement, in compliance with Armendriz v.  
12 Foundation Health Psychcare Services (2000) 24 Cal.4th 83, 127, and its progeny.

13  
14 Dated: May 22, 2012

**LAW OFFICES OF RHEUBAN & GRESEN**

15  
16 By   
17 SOLOMON E. GRESEN  
18 Attorneys For Plaintiff ERLINDA ELEMEN  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## **EXHIBIT A**

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

1055 West 7th Street | Suite 1400 | Los Angeles | CA 90017-2577  
(213) 439-6799 | (800) 884-1684 | Videophone for the DEAF (916) 226-5285  
[www.dfeh.ca.gov](http://www.dfeh.ca.gov) | [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)

PHYLLIS W. CHENG, Director

May 23, 2011

ERLINDA T. ELEMEN

[REDACTED]

RE: E201011T0451-00-c  
ELEMEN/SHARON STONE

Dear ERLINDA T. ELEMEN:

**NOTICE OF CASE CLOSURE**

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective February 16, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

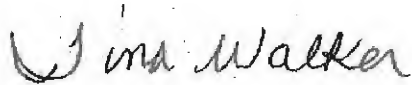
This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.

Notice of Case Closure  
Page Two

DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

A handwritten signature in cursive script that reads "Tina Walker".

Tina Walker  
District Administrator

cc: Case File

SHARON STONE



\*\*\* EMPLOYMENT \*\*\*

**COMPLAINT OF DISCRIMINATION UNDER  
THE PROVISIONS OF THE CALIFORNIA  
FAIR EMPLOYMENT AND HOUSING ACT**

DFEH # E201011T 045100c

DFEH USE ONLY

**CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING**

YOUR NAME (indicate Mr. or Ms.)

TELEPHONE NUMBER (INCLUDE AREA CODE)

ERLINDA T. ELEMEN

ADDRESS

10 RHEUBAN & GRESER, 15910 VENTURA BL. #1610, ENCINO, CA 91436

CITY/STATE/ZIP

COUNTY

COUNTY CODE

ENCINO

CA

91436

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME

SHARON STONE

TELEPHONE NUMBER (INCLUDE AREA CODE)

DFEH USE ONLY

COUNTY

COUNTY CODE

CA

90210

NO. OF EMPLOYEES/MEMBERS (if known)

DATE MOST RECENT OR CONTINUING DISCRIMINATION  
TOOK PLACE (month, day, and year)

RESPONDENT CODE

THE PARTICULARS ARE:

I allege that on Sept. 08-present the following conduct occurred:

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> termination                           | <input type="checkbox"/> denial of employment  | <input checked="" type="checkbox"/> denial of family or medical leave |
| <input type="checkbox"/> lay-off  | <input type="checkbox"/> denial of promotion   | <input type="checkbox"/> denial of pregnancy leave                    |
| <input type="checkbox"/> demotion   | <input type="checkbox"/> denial of transfer  | <input type="checkbox"/> denial of equal pay                          |
| <input checked="" type="checkbox"/> harassment                            | <input checked="" type="checkbox"/> denial of accommodation                          | <input type="checkbox"/> denial of right to wear pants                |
| <input type="checkbox"/> genetic characteristics testing                  | <input checked="" type="checkbox"/> failure to prevent discrimination or retaliation | <input type="checkbox"/> denial of pregnancy accommodation            |
| <input type="checkbox"/> constructive discharge (forced to quit)          | <input checked="" type="checkbox"/> retaliation                                      |   |
| <input checked="" type="checkbox"/> impermissible non-job-related inquiry | <input checked="" type="checkbox"/> other (specify) <u>Discrimination</u>            |   |

by SHARON STONE

(OWNER)

Name of Person

Job Title (supervisor/manager/personnel director/etc.)

because of:

- |  |  |   |   |
|--|--|---|---|
| <input type="checkbox"/> sex                 | <input checked="" type="checkbox"/> national origin/ancestry | <input type="checkbox"/> disability (physical or mental)      | <input checked="" type="checkbox"/> retaliation for engaging in protected activity or requesting a protected leave or accommodation |
| <input type="checkbox"/> age                 | <input type="checkbox"/> marital status                      | <input type="checkbox"/> medical condition (cancer)           |   |
| <input checked="" type="checkbox"/> religion | <input type="checkbox"/> sexual orientation                  | <input checked="" type="checkbox"/> or genetic characteristic |   |
| <input type="checkbox"/> race/color          | <input type="checkbox"/> association                         | <input type="checkbox"/> other (specify)                      |   |

State what you believe to be the reason(s) for discrimination

Religion, Race/color, national origin/Ancestry and because I complain and engaged in protected act

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I understand that if I want a federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complainant Elected Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 2/9/11

COMPLAINANT'S SIGNATURE

At Encino

City

DATE FILED:

DFEH-300-03 (04/08)  
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

RECEIVED

FEB 16 2011

Department of Fair Employment and Housing STATE OF CALIFORNIA

SHORT TITLE:

Elemen v. Stone, et al.

CASE NUMBER

**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

**This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.**

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 5-7 ☐ HOURS/ ☒ DAYS

**Item II. Indicate** the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

- |  |  |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle.    |
| 2. May be filed in central (other county, or no bodily injury/property damage).  | 7. Location where petitioner resides.                      |
| 3. Location where cause of action arose.   | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred.                       | 9. Location where one or more of the parties reside.       |
| 5. Location where performance required or defendant resides.                     | 10. Location of Labor Commissioner Office                  |

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	<b>A</b> Civil Case Cover Sheet Category No	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

LexisNexis® Automated California County Forms

SHORT TITLE:

Elemen v. Stone, et al.

CASE NUMBER

Non-Personal Injury/ Property  
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input checked="" type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels_____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

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	<b>A</b> Civil Case Cover Sheet Category No	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above	
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.	
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.	
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.	
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.	
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.	
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.	
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.	
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.	
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.	
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.	
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.	
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.	
	Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
		Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
		Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition



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**Item III.** Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., **Step 3** on Page 1, as the proper reason for filing in the court location you selected.

<b>REASON:</b> Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.  <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.	ADDRESS:  <div style="background-color: black; width: 150px; height: 30px;"></div>
CITY: <div style="background-color: black; width: 100px; height: 15px;"></div>	STATE: CA
Z P CODE: <div style="background-color: black; width: 50px; height: 15px;"></div>	

**Item IV. Declaration of Assignment:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley-Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: May 23, 2012

  
 (SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.